

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. John Michael Vazquez
v. : Crim. No. 22-
JOHN DOE : O R D E R #2
: **To Be Filed Under Seal**

This matter having come before the Court on the application of Philip R. Sellinger, United States Attorney for the District of New Jersey (by [REDACTED] [REDACTED], Assistant United States Attorney, appearing), for an order sealing portions of the corresponding docket; and the Court having considered the brief submitted by the United States and those submitted by intervening parties, if any; and for good cause shown,

IT IS THE FINDING OF THIS COURT that:

A horizontal bar chart illustrating the percentage of respondents who have heard of different topics. The y-axis lists the topics, and the x-axis represents the percentage from 0% to 100%. The bars are black.

Topic	Percentage
Healthcare	98%
Technology	95%
Finance	92%
Politics	88%
Entertainment	85%
Science	82%
Food	78%
Sports	75%
Business	72%
Art	68%
Lifestyle	65%
History	62%
Geography	58%
Mathematics	55%
Chemistry	52%
Physics	50%
Biology	48%
Spanish	45%
French	42%
German	38%
Japanese	35%
Korean	32%
Chinese	28%
Russian	25%
Arabic	22%
Hindi	18%
Persian	15%
Turkish	12%
Swahili	8%
Yoruba	5%
Amharic	3%
Georgian	2%
Ukrainian	1%
Welsh	0.5%

6. These facts demonstrate a substantial need to partially seal the docket, and permit the filing of this action as a John Doe matter, and override the qualified First Amendment right of the public and press to access certain documents.

7. There is no alternative in this matter that will protect the interest at stake. If the documents are not sealed and/or partially redacted, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

8. The Government has proposed restricting access in a narrowly tailored manner. In this regard, the Government has submitted redacted versions of the brief and the proposed order. In addition, the Government has requested that the Court seal or redact only the documents that, if discovered, would seriously jeopardize an ongoing investigation and the safety of John Doe. Moreover, the Government has sought to seal the documents only as long as necessary to protect these interests.

9. The Supreme Court has regularly recognized that the press and public have a qualified right of access to various proceedings in criminal cases. See Richmond Newspapers, Inc. v. Virginia, 448 U.S. 555, 580–81 (1980); Press-Enter. Co. v. Superior Ct. of California, Riverside Cty, 464 U.S. 501, 510–13 (1984).

10. The right of access is not unconditional.

11. The Court has provided reasonable notice of its intention to close the courtroom and partially seal the corresponding record.

12. The Court has, as discussed above, considered alternatives to the relief sought and finds that there is no reasonable alternative to the restrictions on public access.

13. Based upon the facts set forth above, the Court finds that: (1) the United States presented compelling interests that would be harmed if the relief sought was not granted; and (2) these interests, and the prejudices to these interests, override the interests in denying the relief and granting full access to the hearing and corresponding docket.

14. The Court is narrowly tailoring this order in order to protect the public right to access.

15. Prior to restricting access, the Court has met the requisite standards set forth by the Third Circuit. United States v. Criden, 675 F.2d 550, 554 (3d Cir. 1982); United States v. Antar, 38 F.3d 1348, 1350 (3d Cir. 1994); United States v. Raffoul, 826 F.2d 218, 223–25 (3d Cir. 1987).

WHEREFORE, it is on this ___ day of January, 2022,
ORDERED that the motion is GRANTED; and it is further
ORDERED that all documents filed in this matter shall be filed under seal until otherwise ordered by the Court, with the exception of the documents described in the paragraph below. The Clerk's Office is hereby instructed to file these documents under seal with an ECF notification of "Sealed Document;" and it is further

ORDERED that the redacted cover letter, redacted Brief in Support of the Motion, redacted Affidavit, redacted [Proposed] Order #1, redacted executed Order #1, redacted [Proposed] Order #2, and redacted executed Order #2 shall remain publicly filed, to meet the goal of protecting the interests set forth above while still granting limited public access.

HON. JOHN MICHAEL VAZQUEZ
UNITED STATES DISTRICT JUDGE